



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HOLADAY et al.

Serial No.: 10/799,163

Filed: **March 12, 2004**

For: **COMPOSITIONS AND METHODS FOR
TREATING CANCER AND
HYPERPROLIFERATIVE DISORDERS**

Art Unit: 1643

Examiner: **Christopher Yaen**

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM
OF PRIORITY PURSUANT TO 37 C.F.R. § 1.78(a)(3)**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

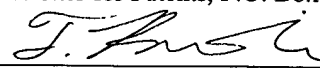
Applicants respectfully petition for the acceptance of an unintentionally delayed claim of priority in the above-referenced patent application.

The correct claim of priority should recite as follows:

The present invention is a continuation of PCT/US00/06329 filed September 14, 2000, which is a continuation-in-part of U.S. Patent Application Serial No. 09/266,543 filed March 11, 1999, now U.S. Patent No. 6,805,865, which is a continuation-in-part of U.S. Patent Application Serial No. 09/265,213 filed March 10, 1999 (now abandoned), which is a continuation-in-part of U.S. Patent Application Serial No. 08/467,101 filed June 6, 1995 now U.S. Patent No. 5,919,459, which is a continuation of U.S. Patent Application Serial No. 08/271,557 filed July 7, 1994 (now abandoned) which is a continuation of U.S. Patent Application Serial No. 08/068,717 filed May 27, 1993 (now abandoned). This application is related to U.S. Provisional Patent Application Serial No. 60/077,460 filed March 10, 1998.

Simultaneously herewith, applicants submit a response amending the specification to recite the correct claim of priority.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 12, 2006.


F. Brent Nix - Reg. No. 59,004

12/18/2006 HDESTA1 00000027 10799163 1370.00 DP 03 FC:1454

STATEMENT OF UNINTENTIONAL DELAY OF PRIORITY CLAIM

The entire delay between the date of the claim of priority was due, June 12, 2004, and the date this priority claim was filed was unintentional. This statement is made by the undersigned agent registered to practice before the Patent and Trademark Office, and a verified statement is therefore not required.

As required by 37 C.F.R. § 1.78(a)(3), the requisite petition fee under 37 C.F.R. 1.17(t) in the amount of \$1,370.00 is included.

Respectfully submitted:



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